

# Committee on Ways and Means

## ***TRADE PROMOTION AUTHORITY BIPARTISAN COMPROMISE REQUIRES ENHANCED CONSULTATIONS WITH CONGRESS***

- Under the legislation, the Administration must consult with Congress before, during, and after the negotiations:
  - The President is required, before initiating negotiations, to provide written notice and consult with the relevant Committees and the Congressional Oversight Group at least 90 calendar days prior to entering into negotiations concerning U.S. objectives
  - The President is required, throughout the negotiations, even immediately prior to initialing the agreement, to consult with the Ways and Means and Agriculture Committees and the Congressional Oversight Group
  - The President is required, before entering into any trade agreement, to consult with relevant Committees and the Congressional Oversight Group concerning the nature of the agreement, how and to what extent the agreement will achieve the applicable purposes, policies, and objectives of the Act, and all matters relating to implementation
  - The President is required, at least 90 days before entering into an agreement, to formally notify Congress of his intent to enter into the agreement
- TPA would not apply to an agreement if both Houses separately agree to a procedural disapproval resolution within any 60-day period stating that the Administration has failed to consult with Congress
- The bill establishes a Congressional Oversight Group, a broad-based, bipartisan, and permanent institution, to be accredited as official advisers to the U.S. delegation, to consult with USTR and provide advice regarding formulation of specific objectives, negotiating strategies and positions, and development of the trade agreement.
  - The Group would maximize bipartisanship and input from Members from a broad range of Committees, comprising: Chairman and Ranking Member of Ways & Means and 3 additional Committee Members (no more than 2 of whom are from the same party); the Chairman and Ranking Member or their designees of each Committee with jurisdiction over any law affected by the trade agreement being negotiated
  - USTR is required to develop written guidelines establishing: regular detailed briefings; access to documents concerning the negotiations, even if classified; closest practicable coordination including at negotiation sites; consultations regarding compliance and enforcement after an agreement is concluded.